



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

AUG 23 2016

REPLY TO THE ATTENTION OF

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Dean Hudson, Director  
Aux Sable Liquid Products, Inc.  
6155 E. US Route 6  
Morris, Illinois 60450

Re: Notice of Violation  
Aux Sable Liquid Products, Inc.  
Morris, Illinois

Dear Mr. Hudson,

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to Aux Sable Liquid Products, Inc. (Aux Sable or you) under Section 113(a)(1) and (3) of the Clean Air Act, 42 U.S.C. § 7413(a)(1) and (3). We find that you are violating the following at your Morris, Illinois facility: Construction Permit conditions established in accordance with Ill. Adm. Code 201.156 of the Illinois State Implementation Plan.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference. The EPA contact in this matter is Constantinos Loukeris. You may call him at (312) 353-6198 to request a conference.

You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ed Nam", written in dark ink.

Edward Nam  
Acting Director  
Air and Radiation Division

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**Aux Sable Liquid Products, Inc.  
Morris, Illinois**

Proceedings Pursuant to  
the Clean Air Act,  
42 U.S.C. §§ 7401 et seq.

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) **NOTICE OF VIOLATION**  
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**EPA-5-16-IL-10**

**NOTICE OF VIOLATION**

The U.S. Environmental Protection Agency finds that Aux Sable Liquid Products, Inc. (Aux Sable) violated the Clean Air Act (CAA) and its implementing regulations at its Morris, Illinois facility. Specifically, Aux Sable violated Construction Permit conditions established in accordance with Ill. Adm. Code 201.156 of the Illinois State Implementation Plan (SIP) as follows:

**Regulatory Authority**

1. Section 110(a)(1) of the CAA, 42 U.S.C. § 7410(a)(1), requires each state to adopt and submit to EPA for approval a SIP that provides for the implementation, maintenance, and enforcement of the National Ambient Air Quality Standards (NAAQS). Under Section 110(a) of the CAA, 42 U.S.C. § 7410(a), each SIP must include a permit program to regulate the modification and construction of any stationary source of air pollution as necessary to assure that NAAQS are achieved. Pursuant to Section 113(a) and (b) of the CAA, 42 U.S.C. § 7413(a) and (b), upon EPA approval, SIP requirements are federally enforceable under Section 113. Under 40 C.F.R. § 52.23, any permit limitation or condition contained within a permit issued under an EPA-approved program that is incorporated in a SIP, is a requirement of the SIP, and is federally enforceable under Section 113.

2. On May 31, 1972, EPA approved 35 Ill. Adm. Code 201, "Permits and General Conditions," as part of the federally enforceable SIP for the State of Illinois. See 37 Fed. Reg. 10,862. Since then, EPA has approved several revisions of 35 Ill. Adm. Code 201 into the federally enforceable SIP.

3. On February 6, 2015, Illinois EPA issued to Aux Sable a construction permit to construct a Fractionation Expansion Project at its Morris, Illinois facility, Construction Permit 14120019 (2015 Permit).

4. On June 21, 2016, Illinois EPA issued to Aux Sable a revised Construction Permit 14120019 (2016 Permit).

5. The 2015 Permit and the 2016 Permit include at Condition 6-2(c) NO<sub>x</sub> emission limits on HTF heaters (H-501A/H-501B) of 0.030 lb/mmBtu heat input, on a rolling 12 month average basis.

### **Findings of Fact**

6. Aux Sable owns and operates an onshore natural gas processing plant, at 6155 E. US Route 6, Morris, Illinois, which removes natural gas liquids from field gas and fractionates the natural gas liquids.

7. Aux Sable operates, among other emissions units, two Heat Transfer Fluid Heaters (H-501A/H-501B) at its Morris, Illinois facility.

8. In the rolling 12 month period from April 2015 through March 2016, HTF heater H-501A experienced NO<sub>x</sub> emissions of 0.039 lb/mmBtu heat input.

### **Violations**

9. Aux Sable failed to comply with the NO<sub>x</sub> limit for HTF heater H-501A in the 2015 and 2016 Permits, Condition 6.2(c), from April 2015 to March 2016.

### **Enforcement Authority**

10. Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1), provides that whenever, on the basis of any information available to the Administrator, the Administrator finds that any person has violated, or is in violation of, any requirement or prohibition of, *inter alia*, an applicable SIP or permit, any rule promulgated under the NSPS requirements of Section 111(e) of the CAA, 42 U.S.C. § 7411(e), Title V of the CAA, 42 U.S.C. §§ 7661-7661f, or any rule or permit issued thereunder, the Administrator may issue an administrative penalty order under Section 113(d), issue an order requiring compliance with such requirement or prohibition, or bring a civil action pursuant to Section 113(b) for injunctive relief and/or civil penalties.

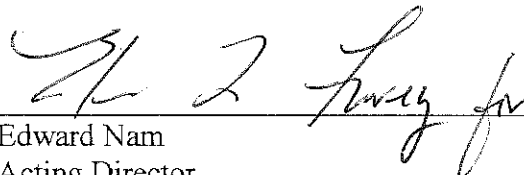
### **Environmental Impact of Violations**

11. Aux Sable's above-referenced violations resulted in excess emissions of NO<sub>x</sub>.

12. NO<sub>x</sub> emissions are a precursor to ground-level ozone. Breathing ozone contributes to a variety of health problems including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ground-level ozone also can reduce lung function and inflame lung tissue. Repeated exposure may permanently scar lung tissue.

13. NO<sub>x</sub> emissions contribute to the formation of acid rain and nutrient overload that deteriorates water quality. NO<sub>x</sub> emissions react to form nitrate particles, acid aerosols, as well as NO<sub>2</sub>, which also causes respiratory problems.

8/23/16  
Date

  
Edward Nam  
Acting Director  
Air and Radiation Division